

- 1 **Q. Reference: CA-NP-173: please confirm that the Board has the authority to review**  
2 **its past orders and that res judicata does not apply in respect of the review of past**  
3 **orders, including past orders in relation to prudence.**  
4
- 5 A. Newfoundland Power is unable to provide the confirmation requested.  
6
- 7 The request seeks confirmation of the Board's authority to review its past orders and of  
8 the applicability of the legal doctrine of *res judicata* to the Board's review of its past  
9 orders. These are matters of law, and the Request for Information process does not  
10 adequately provide for the consideration that such matters require.  
11
- 12 Accordingly, Newfoundland Power objects to the provision of the information requested  
13 pursuant to Section 15 of the *Board of Commissioners of Public Utilities Regulations,*  
14 *1996.*